



**PATRICK D. CROCKER**  
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February 19, 2010

Ms. Marlene H. Dortch, Commission Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite TW-A325  
Washington, DC 20554

*Filed Electronically Via ECFs*

RE: Cheap2Dial Telephone, LLC  
Customer Proprietary Network Information Certification  
EB Docket No. 06-36

Dear Ms. Dortch:

Cheap2Dial Telephone, LLC, by its undersigned attorneys, hereby submits its 2009 CPNI Compliance Certificate and Accompanying Statement certifying compliance with Section 64.2001 *et seq.* of the Commission's rules.

Please contact the undersigned should you have any questions or concerns at (269) 381-8893 extension 226 or [patrick@crockerlawfirm.com](mailto:patrick@crockerlawfirm.com).

Very truly yours,

CROCKER & CROCKER, P.C.

  
Patrick D. Crocker

PDC/tld

Enclosures

cc: Best Copy and Print, Inc. (via e-mail [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM))

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2009

Date filed: February 18, 2010

Name of Company Covered by this Certification: Cheap2Dial Telephone, LLC

Form 499 Filer ID: 826953

Name of Signatory: Barry Rynearson


Title of Signatory: Managing Member

I am the Managing Member of Cheap2Dial Telephone, LLC and as such do hereby certify, affirm, depose, and say that I have authority to make this Customer Proprietary Network Information ("CPNI") Annual Certification of Compliance on behalf of Cheap2Dial Telephone, LLC. I have personal knowledge that Cheap2Dial Telephone, LLC has established adequate operating procedures to ensure compliance with the Commission's CPNI rules as set forth in 47 C.F.R. § 64.2001 et. seq.

Attached to this Certification is an Accompanying Statement explaining how the company's procedures ensure compliance with the requirements set forth in section 64.2001 et seq. of the Commission's rules.

Cheap2Dial Telephone, LLC received no customer complaints in the past year concerning the unauthorized release of CPNI. Further, Cheap2Dial Telephone, LLC has taken no action against data brokers for the unauthorized release of CPNI during calendar year 2009. Cheap2Dial Telephone, LLC will report any information it may obtain with respect to the processes pretexters are using to attempt to access CPNI and what steps Cheap2Dial Telephone, LLC is taking to protect CPNI.

This Certification is dated this 18 day of February, 2010.

  
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Barry Rynearson  
Managing Member  
Cheap2Dial Telephone, LLC

# **Accompanying Statement to Annual CPNI Compliance Certification for CHEAP2DIAL TELEPHONE, LLC**

CHEAP2DIAL TELEPHONE, LLC ("CHEAP2DIAL") operating procedures ensure that CHEAP2DIAL is in compliance with 47 C.F.R. Part 64, Subpart U, as follows:

## Employee Training and Discipline

- CHEAP2DIAL requires all employees as well as, contractors and agents (if applicable) with access to CPNI to sign a Statement of CPNI Acknowledgement, stating that they are to protect the confidentiality of the CPNI and that they are prohibited to use the CPNI information for any purpose other than addressing customer inquiries or for other internal matters that are NOT related to marketing efforts. Failure to follow the Statement may result in disciplinary action or termination of their employment.

## Sales and Marketing Campaigns

- CHEAP2DIAL requires management approval for any and all sales and marketing campaigns to ensure that CPNI is not used.
- CHEAP2DIAL does not sell or license CPNI from its product service offerings for third party marketing campaigns.
- CHEAP2DIAL ensures that agreements entered into with third party service providers that store CPNI include verbiage that acknowledges such CPNI is CHEAP2DIAL's proprietary information and that the service provider is prohibited to use such information for solicitation or for any other purpose outside the terms of the agreement.

## Record-Keeping Requirements

- CHEAP2DIAL does not store CPNI records in its internally maintained databases.
- CHEAP2DIAL requires that CPNI records maintained by third party service providers are being maintained for a minimum of one (1) year.

## Establishment of a Supervisory Review Process

- CHEAP2DIAL establishes a supervisory review process for all outbound marketing situations to ensure no CPNI records are being utilized.

## Opt-In

- CHEAP2DIAL does not market CPNI. However, if CHEAP2DIAL was to market CPNI it would only disclose CPNI to sales agents, affiliates, joint venture partners, independent contractors or to any other third parties after receiving "opt-in" approval from a customer.
- CHEAP2DIAL enters into confidentiality agreements with joint venture partners, independent contractors or any other third party when releasing or storing CPNI. All such confidentiality agreements are reviewed by management for compliance with this Policy.

#### Opt-Out Mechanism Failure

- CHEAP2DIAL will not market CPNI. However, if CHEAP2DIAL was to market CPNI it would establish a protocol requiring written notice to the FCC within five (5) business days of any instance where opt-out mechanisms did not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

#### Compliance Certificates

- CHEAP2DIAL executes a statement, signed by an officer, certifying that he or she has personal knowledge that CHEAP2DIAL has established operating procedures that are adequate to ensure compliance with the FCC's CPNI regulations.
- CHEAP2DIAL prepares an Accompanying Statement detailing how operating procedures ensure compliance with CPNI regulations.
- CHEAP2DIAL provides, if applicable, an explanation of any actions taken against data brokers.
- CHEAP2DIAL provides, if applicable, a summary of all customer complaints received in the past year concerning unauthorized release of CPNI.

#### Customer Notification of CPNI Changes

- CHEAP2DIAL only make changes to CPNI upon a customer's request.
- Customers do not have access to CPNI information on-line. However, customers may access and modify their CPNI information by contacting our customer service center.

#### Notification to Law Enforcement and Customers of Unauthorized Access

- CHEAP2DIAL notifies the appropriate law enforcement agency of any unauthorized access to a customer's CPNI.
- CHEAP2DIAL ensures that all records of any discovered CPNI breaches are kept for a minimum of two (2) years.

# **STATEMENT OF ACTIONS TAKEN AGAINST DATA BROKERS**

- A. During Calendar Year 2009, the Company has instituted the following proceeding, or filed the following petitions, against data brokers before the Federal Communications Commission:

NONE

- B. During Calendar Year 2009, the Company has instituted the following proceeding, or filed the following petitions, against data brokers before the various Public Utilities Commissions:

NONE

- C. During Calendar Year 2009, the Company has instituted the following proceeding, or filed the following petitions, against data brokers before the following federal or state courts:

NONE

**SUMMARY OF CUSTOMER COMPLAINTS  
REGARDING UNAUTHORIZED RELEASE OF CPNI**

- A. During Calendar Year 2009, the Company has received the following number of customer complaints related to unauthorized access to, or disclosure of, CPNI due to improper access by Company employees:

NONE

- B. During Calendar Year 2009, the Company has received the following number of customer complaints related to unauthorized access to, or disclosure of, CPNI due to improper disclosure to individuals not authorized to receive the information:

NONE

- C. During Calendar Year 2009, the Company has received the following number of customer complaints related to unauthorized access to, or disclosure of, CPNI due to improper access to online information by individuals not authorized to view the information:

NONE

- D. During Calendar Year 2009, the Company has become aware of the following processes that pretexters are using to attempt to access its CPNI:

NONE